

6 APR 1982

MEMORANDUM FOR: General Counsel

FROM: James N. Glerum
Director of Personnel

SUBJECT: Alternative Work Schedules

1. On 3 October 1979, the Agency established an alternative work schedules experimental program similar to the one established for other federal agencies by the Office of Personnel Management under the Federal Employee's Flexible and Compressed Work Schedules Act of 1978 (Public Law 95-390). This Act temporarily suspended the overtime pay provisions of Title 5, U.S. Code and the Fair Labor Standards Act (FLSA). Nineteen Agency components have been experimenting with compressed work schedules and sixteen have submitted favorable assessment reports to the Office of Personnel, Position Management and Compensation Division for the period ending June 1981.

2. As you know, on 26 March 1982, legislation was enacted extending the use of alternative work schedules for a four month period (through July 1982), during which time Congress will attempt to resolve certain problems standing in the way of permanent legislation for Government-wide use of these schedules. Because we recently saw some uncertainty as to what the final Congressional determination on the alternative work schedules program will be, and based on the favorable impact of these programs on the Agency, I am desirous of knowing whether the Agency, using the DCI's special authority, can legally adopt an alternative work schedule on its own.

3. I am most anxious to receive your opinion on this matter in order to be able to recommend to the DCI the establishment of the Agency's own program for alternative work schedules. Thus, I would appreciate receiving a response as soon as possible.

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James N. Glerum

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OP/PMCD/DRD:mec(5 April 1982)

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This Notice Expires 1 November 1982

PERSONNEL

1 April 1982

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EXPERIMENTAL FLEXIBLE AND COMPRESSED WORK SCHEDULES

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1. The Agency will resume its experimental flexible and compressed work schedules program, effective 4 April 1982, the first full pay period in April. This program commenced originally over two years ago when the Agency experimented with a variety of flexible and compressed (alternative) work schedules, one of which included the popular 5/4-9 schedule. The Agency has been guided in its alternate work schedules program by policies and procedures developed for Government-wide use by the Office of Personnel Management (OPM). The OPM program is congressionally authorized and was to expire on 29 March 1982. Because of uncertainty as to whether the Administration and Congress would be able to agree on continuation of alternative work schedules, the Agency suspended its experimental flexible and compressed work schedules, effective 21 March 1982, the beginning of the biweekly pay period.

2. In view of the fact that the Administration and Congress have agreed to an extension of Government-wide alternate work schedules, resumption of the Agency's experimental flexible and compressed work schedules program is extended through July 1982. During the four-month extension period, Congress will attempt to enact permanent legislation concerning alternative work schedules on a Government-wide basis.

3. Components desiring to experiment with alternate work schedules, except for flexitime structured on an 8-hour day and 40-hour week, must submit a memorandum through the appropriate Deputy Director and the Director of Finance to the Director of Personnel for approval unless approval has been previously granted. Employees wishing to participate in flexitime structured on an 8-hour day and 40-hour week may do so at their supervisor's discretion and without prior Office of Personnel approval.

4. Questions concerning this notice should be referred to component personnel officers or the Position Management and Compensation Division, Office of Personnel, extension []

Harry E. Fitzwater
Deputy Director
for
Administration

DISTRIBUTION: ALL EMPLOYEES

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Alternative Work Schedules

FROM:

EXTENSION

NO.

Chief, PMCD
1016 Ames

DATE

5 APR 1982

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

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1. DD/PA&E
1006 Ames

2.

3. EA/D-PERS
5E58 HQS

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5E58 HQS

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Attached for your signature is a memorandum to the OGC asking for his opinion as to whether the Agency can implement its own alternative work schedule program.